



UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.

Issued by the Department of Transportation on March 12, 1999

**NOTICE OF ACTION TAKEN -- DOCKET OST-98-3419**

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This serves as notice to the public of the action described below, taken by the Department official indicated (no additional confirming order will be issued in this matter).

Application of **Delta Air Lines, Inc.** filed **3/3/99** for:

**XX** Waiver from dormancy condition:

By Order 98-5-17, the Department granted certificate authority to Delta to provide scheduled combination service between Honolulu and Tokyo, and allocated it six weekly frequencies for this service. The frequencies are subject to the condition that they will expire automatically and revert to the Department for reallocation if they are not used for a period of 90 days. Under the terms of the order, the frequency allocation would expire March 15, 1999, i.e. 90 days after Delta's proposed start-up date of December 15, 1998. Delta seeks a waiver of the 90-day dormancy condition through September 15, 1999, stating that it has been unable to secure slots at Tokyo's Narita Airport to institute its service.

The State of Hawaii filed an answer in support of the application.

Applicant rep.: **Robert E. Cohn, (202) 663-8060** DOT analyst: **Gerald Caolo, 202-366-2406**

**DISPOSITION**

**XX** **Granted**

The above action was effective when taken: **March 12, 1999,** through **September 15, 1999**

**XX** Action taken by: **Paul L. Gretch, Director**  
**Office of International Aviation**

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**Remarks:** The 90-day dormancy period will begin September 15, 1999, or the date on which Delta begins service in the Honolulu-Tokyo market, whichever occurs earlier.

We acted on this application without awaiting expiration of the 7-day answer period with the consent of all parties served.

(See Reverse Side)

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Under authority assigned by the Department in its regulations, 14 CFR Part 385, we found that (1) immediate action was required and was consistent with Department policy; and (2) grant of the waiver was consistent with the public interest. To the extent not granted, we denied all requests in the referenced Docket. We may amend, modify, or revoke the authority granted in this Notice at any time without hearing at our discretion.

Persons entitled to petition the Department for review of the action set forth in this Notice under the Department's regulations, 14 CFR §385.30, may file their petitions within ten (10) days after the date of issuance of this Notice. This action was effective when taken, and the filing of a petition for review will not alter such effectiveness.

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